Previous references.

G. P. No R. 3805-7
R. F. 457 of 1903-4
& 31.3.04
Z-R/54 of 1901/1902

/

File No. 457
of 1903-4

1904-5

(Rev: Miscellaneous)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 6

PART B. FOR September

SUBJECT.

Appeal petition of N. Venkatagiriappa of Tarikere, regarding the payment of jodi on the land granted on Shrotriya tenure for the up-keep of the Chattram at Hirekathur, Tarikere Taluk.

P. T. O

FILE No. Rev. 457 of 1903-04.

Appeal petition of H. Venkatagiriappa of Tarikere, in re *payment of Jodi on the lands granted on shrayd tenure for the upkeep of the chattra at Hirekathur, Tarikere Taluk.*

1	From H. Venkatagiriappa of Tarikere, Kadur District, petition dated 2nd April 1904. Appeals against the order of the Deputy Commissioner, Kadur, requiring him to pay Jodi on the land granted on shraya tenure for the up-keep of the chattram erected by his father at Hirekathur, Tarikere Taluk, up to the date, his relinquishment of those lands was accepted by the Deputy Commissioner and also compelling him to evacuate the chattra in pursuance of Government orders.
2	To the Deputy Commissioner, Kadur District, Official Memo No. Pet. 1283, dated 16th April 1904. Calls for connected references together with a full report of the facts of the case.
3	From the Deputy Commissioner, Kadur District, letter No. 507, dated 25th April 1904. Submits a report together with the vernacular correspondence relating to the case.
4	To the Deputy Commissioner of the Kadur District, docket No. R. 4253, dated 30th June 1904. Requests to be informed if the grantee ever cultivated the lands, and if so, in what years and with what result.
5	From the Deputy Commissioner, Kadur District, letter No. 29, dated the 18th July 1904. States that the lands in question were not cultivated at any time after the grant.
6	To the Revenue Commissioner, Survey Commissioner, Superintendent of Inam Settlements and the Secretary, Muzrai Department, Government Order No. R. 1896-9, dated 1st September 1904. Directs that, as a special case, the Jodi be remitted from the time the petitioner first expressed his desire to relinquish the land in question.

G. P. No. R. 3805-7—R. F. 457-03-4, dated 31st March 1903.

1

G.R.S. 11] 1904.

GENERAL AND REVENUE SECRETARIAT.

(Rev: Mis)

NOTES.

File No. 457 of 1903-4

FILE HEADING.

Grant of lands for the upkeep of the chattram built by Shanbhog Narasappa of Hire Kature on the Bangalore-Shimoga Road.

From

N. Venkatagiriappa son of Narasappa

No. Petition Dated 2.4.04 Received

Diary No. 2255	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeals against the order of the D. Comr., Kadur, requiring him to pay jodi on the lands in question, up to the date of relinquishment of those lands was accepted by the Dy. Comr. &c

NOTES AND ORDERS.

Venkatagiriappa, the person affected by G.O. No. R 3805-7 dt 31.3.03, has since appealed R.P. 457-03-4 to Govt. for a review of the order. A draft endorsement declining to reconsider the"

P.J.C.

NOTES—First sheet.

MGCPB—5,000—18-5-04

order already passed in part
b/o for approval

19/5/04

Submitted to the Dewan
through the 2nd Ll 25/5/04

Rec'd 24/5/04

The matter is not ripe for
submission to the Dewan Sahib.
So, I beg the Secretary to be
kind enough to obtain the
information noted in the
draft docket to the Dy: Secy:
herewith sent for favor of
your ORD
26/5/1904

Office - Please return the draft Ll
27/5/04

The Sanad granted to Narasappa
is in the file, being an enclosure
to No 24 (DC's letter No 429 dt 29/1/03),

The draft thereof seems to
require revision.
Looked
28/5/04

Received on 25/6/1904
The draft is revised
for your
29-6-1904
Yours
B.
Wilson

General and Revenue Secretariat.

Rev File No. 45 of 1903-4.

Serial No.

To the Dy Comr of the Kadur Dist.

No. R 4253 of the 30.6.04

As Venkatgiriappa, son of Narasappa the grantee has applied for a reconsideration of G.O. no R 3805-7 of 31.3.03, request to be informed if the grantee ever cultivated the lands and if so in what years and with what result.

From the Dy Comr of the Kadur Dist.

No. 29 of the 18.7.04

Informs that the lands referred to were never cultivated at any time after the grant.

Orders have now to be passed on the petition of Venkatagiriappa. He has therein offered to pay the full jodi amount on the lands granted for the upkeep of the Chattra which left by his father from the year of grant to the year of his resignation and the assessment of one rupee a year from 1889 for the portion of land ~~on which the Chattra~~

Serial No.

forming the Chattra site, and prays that he may be left in undisturbed possession of the Chattram

Submitted
16/8/04. The petitioner prayers in his present application are twofold (1) a recommendation of the order already passed declining to allow him to use the Chattram as his private property (2) remission of the fine amount chargeable on the Inam land in the ground that they have all along been lying waste and neither his father nor he have derived any benefit from them If this cannot be done, he prays that the ~~fine~~ full fine may be recovered from him till he applied to the Govt that the land may be taken over by Govt in 1907

Kept

G.R.S. 12]

General and Revenue Secretariat.

File No. of 190

Serial No.

There can be no doubt that he is unable to maintain the chuttra. To allow him to have any control over it under the circumstances seems to be undesirable. It may have been built by his father but it was avowedly for a public purpose & no change in its character can therefore be allowed. Legally, a trust once created always remains a trust. So there seem to be no grounds for reconsidering the order already passed. As the lands are reported to have never been brought into cultivation & have not therefore been a source of benefit to the holder of the chuttra or his descendants, resuming the poor grant of 1901 may reasonably be allowed subject to the keep for ever

Please put up. 16/8/08

Draft submitted

Draft accordingly 16/8/08

19.8.1908

Read 20.8.08

NOTE—Contn. sheet.

MGCPB—10 000—19-5-01

G.R.S. 12]

7

General and Revenue Secretariat. | File No. of 190

Serial No.

Draft submitted to the Diwan Saheb for approval It contains my humble opinion &
22.8.04
J.

6. 1110/23/8/04 To the Rev: Secy: Govt, Imam Instn & Leg, Munz: Deptt:
27/8. No: R 1896-991-9-04.
Sanctions as a special case the remission of the godi from the time the Petr expressed his intention to relinquish the land in question

NOTE—Contn. sheet.

MGCPB—10 000—19-5-04

1904

No. 2255

Name of Petitioner H. Venkatagiriabba

Village Kanakere

Taluk

District Kadur

Date of Arzi

Date of Receipt 2-4-04

Date of Disposal

No. of Enclosure 5

ABSTRACT

This is an appeal preferred against the Dy Comrs order No 288 of 21-12-03 intimating that the Chatteram built by the petitioner's father on Benur Shimoga road for the use of travellers could not be given to the petr for his own use that according to the "Layout" the building should be vacated, otherwise a monthly rent of Rs 4/0/- will be levied for

MGCPB—5,000—10-11-02

Vide Register Entry 4 (Stamp sufficient)

Dy Comrs order of 1-2-04 is produced (also order of 26/12/03)

Petition of the Talk Office for Comrs Inspection

To Dy Comrs for report & int. return

13/4/04

Ch & Endorsement

Read 14/4/04

the days, the pet^r. resumption
to the Kandayan and that no
Jodi account can be remitted
as no resignation has
been received for the Jodi lands -
The pet^r states that the pet^r submitted
resignation for the Jodi lands
referred to, subsequent to the
death of his father. As the
Jodi lands were not cultivated
in any year since the grant
nor any benefit was derived
from them, rent to Sharaya (Govt)
Kandayan was paid in
addition to the cost incurred
on account of recovering the
bluttkam referred to, that
a kind reference to Kahani
accounts will prove the pet^rs
statement; that since the opening
of the Belum Ulu Temburong road, no
travellers occupy the said
bluttkam; that notwithstanding
the alone if the Govt are of opinion
the pet^r and his father enjoyed the
benefits of "Sharaya" Govt tenure
the full Jodi account may be levied
from the date of grant of lands till the
date of petitioners resignation -
Prays that the pet^r be allowed to use
the bluttkam as his private property
and that the Kandayan from the date
of this application be remitted and
that the attachment of his movable properties
for arrears Kandayan referred to, be cancelled & the charges

Pet. 1285. Enc. 5 P. 16-4-04

Govt. Genl & Rev. Secretaries

MYSORE ~~DEWAN'S OFFICE~~.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition Registered No. 2255 ~~dated~~ without date received at the ~~Dewan's Office~~ Secretariat on 2/4/04 from M. Venkatagiriyappa of Varikere against the Dy. Comr's order directing the petr to vacate the Chattram built by his father, and informing him that no Jodi could be remitted unless he resigns the Jodi Lands is forwarded, together with its five enclosure, to the Deputy Commissioner of the Kadur District, for a full report of the facts of the case (Subm of the entire Progs connected with the case together with) and on the points urged in the petition.

2. The petition with its enclosure should be returned.

By order,

Asst

For Secretary.

BANGALORE,

14/4/1904

16/4

AS

Asst

95 3

3

1903-1904.

From M. Nagaraja Rao Esquire
Deputy Commissioner
Bellary District

To L. Anantasamy Rao Esquire
Secretary to the Govt of Mysore.
(Genl & Rev: Depts)

Dated 25 April, 1904.

Despatched 30

Received

General No. 507
No.

Enclosure No. V. Papers

MYSORE GOVERNMENT
Dept. 8&6
2 MAY 1904
REVENUE SECRETARIAT

Submitting the Kannada file connected with the appeal petition of Venkatagiriappa of Tarikere against the Deputy Commissioners order of not allowing him to occupy the chatram built by his father.

V Papers
3/5/04
Respectfully
3/5/04 (Rev Dept)
Please put up for Order on P 3808-7 of 31-3-04
4/5/04
Ref back up
5/5/04
Please arrange papers & interpolate
7/5/04
To Rev Dept.
9/5
Sent again
11/5/04.
Submitted
12-5-04 Put up a draft- Govt declining to recommend the case ahead please 17/5/04
Draft submitted 19/5/04

Deputy Commissioner's Office
Kadur District
Camp Koppa 25th April 1904.

From

M. Varada Rao Esqr
Deputy Commissioner Kadur District

To

L. Anantasami Rao Esqr B.A.,
Offg. Secretary to the Government
of Mysore, General & Revenue Depts.

Sir,

With reference to your official memo No Pr L/1283 dated 18th april 1904, forwarding for report petition from Venkatagiriappa of Tarikere appealing against the Deputy Commissioner's order directing him to vacate the Chatram built by his father on the Tarikere-Shimoga road and informing him that no Jodi could be remitted unless he resigned the Jodi Inam lands, I have the honor to submit herewith the Kannada file connected with the case and to invite your kind reference to the correspondence ending with Government Order

No.

No R 3805-7 dated 31st March 1903, in accordance with which the petitioner was informed that he could not be allowed to use the Chattram building referred to as his residence, that it must be thrown open to travellers, and that if he wished to resign the Jodi lands, he might do so.

2. It is against the said order the petitioner now appeals to Government.

3. The Enclosures of your memo. under reply are herewith retransmitted.

I have the honorble,
Sir,
Your most obedient Servant

Deputy Commissioner
Kadur District

SIS

See V

(Kan. 167) 96 6

6

Office Draft. (Docket.)

The Mysore Government,
General & Revenue Secretariat,
Revenue Branch.

To

The Dy. Commr.
of the Kadoor Dist

Date of passing the draft 30 May 1904
Date of despatch 4

D

Regd. No. R 42530 30/6/04
File No. & date (if any)

No. of Encls.

Govt. order No R 3805-7
of the 31st March 1903 in
re the lands granted
for the maintenance of
the Chatram built
by Narasappa on
the high road from
Tarikéré to Shimoga
in the Village of Para-
-vénachally

"

As Venkatgiriyappa
son of the said Narasappa
has applied for a
reconsideration of
the above order

I have the honor to request
~~him to be good enough~~
~~to forward a copy of~~
~~the record of Priority~~
~~Given to Nanaimo, as~~
~~when the said was~~
~~Given him it is~~
~~required to ascertain~~
~~the actual terms of~~
~~the grant. Request~~
~~also to be informed~~
if the grantee ever
cultivated the lands
× if so in what years
+ with what result
An early reply is
Requested

27/5/04

Off Secy

RW
26/5/1904

Typed 2/7/04.
Compd HCW 2/7/04
F.C. 1/7/04

1904 503 R

From The Deputy Commissioner
Kadur District

R 7457 1903 4

To The Secretary to the Govt.
of Mysore
Genl and Rev. Dept
Bangalore

Dated 18th
Despatched 19th
Received July 1904

General No. 29
No.

Enclosure No.

Stating that the lands granted for maintenance of the chatram built by the late Narasappa on the high road from Tarikere to Shimoga in the Village of Paramenahalli were not cultivated at any time after the grant.

n

9

Chikmagalur, 18th July 1904

From

M. Narain Rao Esqr.

Deputy Commissioner

of the Kadur District

To

B. K. Venkatavardayengar, Esqr.

Secretary to Government

Gen & Rev. Departments.

Sir,

Adverting to your docket No. R 4253 of the 30th June 1904, I have the honor to state that, on enquiry, it has been ascertained that the lands granted for maintenance of the Chattram built by the late Ramappa on the High Road from Tarikere to Shimoga in the village of Paramenahalli, were not cultivated at any time after the grant.

I have the honor to be,

Sir,

Your most obt Servant

M Narain Rao

Deputy Commissioner.

And

(Rev Misc)
(.2).

G.R. 28]

File No. 457 of 1903-4
Serial No. 6

Diary No. of letter replied to 503 Rev.

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
( )

the 190

Date of issue 1-9-04.

Signed by [illegible]

READ.—

Petition R 2255-R dated the 2nd of April 1904 from H. Venkatpiny appa of Sanikere appealing against the order of the Deputy Commr of the Kadur District refusing

ORDER THEREON.—No. him to pay jodi on the lands granted on Shasana tenure for the upkeep of the chattra erected by his father at Hirekatthur in the Sanikere Taluk upto the date of his relinquishment of those

over

SUBJECT

Declines to modify G.O. no: R805-7 of the 31.3.03 directing that the Chattra built by Hirekatur Narasappa on the high road from Sanikere to Shimoga in the village of Peramenahalli should be vacated, but sanctions as a special case the remission of the jodi on the lands granted for the maintenance thereof.

MGCPB—5,000—24-6-04

land was accepted by the Dy. Commr and also compelling him to evacuate the bhattha in pursuance of Govt. orders ~~Subsequent to the~~ Read also Govt. Order No. R. 3805-7 of the 31st of March 1903 Order thereon

The Petitioner in the present application virtually seeks for a reversal of the order already passed in Govt Proc No R 3805-7 of the 31st of March 1903 and (may that) the Bhattha may be restored to him as his private property. Govt are no reason to modify their order already passed in the matter. The bhattha was built for the benefit of the public and no private right can therefore be recognized in it.

* Letter No 29 dated the 18th July 1904 from the Dy Commr of the Kadur Dt. reporting upon the above petition

Rev. R 1896-9

L.R. 457-03-6

GVP

should be devoted for
the purpose for which
it was constructed
and the Dy Commissr
is directed to make
suitable arrangements
for the purpose

2. With regard to
his prayer for the
remission of the rent
on the land required
for the upkeep of
the Cantonment at
least from the year
1901 when the petitioners
expressed his intention
of resigning the land
~~as Cantonment~~ Land
observe that the

13

My Comm reports that the lands ~~in Sankeri~~ were not brought under cultivation at any time, Although the ryots & Inamdars are themselves to blame for not having been able to derive any benefit from these lands ~~for~~ as a special case ~~for~~ and are not entitled to ~~claim~~ any concession on that account, yet ~~for~~ they are pleased to direct that the poor ~~ryots~~ be remitted from the time the Settlement first expressed his desire to relinquish the lands in question - He therefore directs that the lands ~~have been~~ be relinquished

The reason why the lands were not cultivated has not been mentioned

22.8.1904

Secy

23 VIII 04

26.8.1904

To
1) The Rev Comm in Mysore with the ver papers Sl. 11
2) The Survey and Settlement Comr in Mysore
3) The Supdt of Inam Settlements in Mysore
4) The Secretary Muz: Department.

19/8/04

Typed 24/8/04. Sent 29/8.